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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/554,009	06/27/2000	HIDEKAZU SUZUKI	HYAE:099	6631

7590 12/04/2003
PARKHURST & WENDEL
1421 PRINCE STREET
SUITE 210
ALEXANDRIA, VA 22314-2805

EXAMINER

CHEN, SHIN HON

ART UNIT	PAPER NUMBER
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2131

DATE MAILED: 12/04/2003

7

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/554,009

Applicant(s)

SUZUKI, HIDEKAZU

Examiner

Shin-Hon Chen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 July 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) _____ is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 June, 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1-19 have been examined.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 4, 10, 13, 14, 16, 18 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The words in parentheses make the claims indefinite.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claim 1 is rejected under 35 U.S.C. 102(b) as being clearly anticipated by Kitada U.S. Pat. No. 5606611 (hereinafter Kitada).

As per claim 1, Kitada teaches a data transmission and reception method in which data transmitted from a transmitting end is received, on the basis of a reception contract (Kitada: column 1 lines 58-67: determining the right of each of receiving stations to receive a broadcasting service...and charging in accordance with contract condition), with plural receivers which have individual ID numbers and belong to the same group

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(Kitada: column 2 line 67- column 3 line 2: a decoder ID as the number of each receiving unit, group bits for designating a group to which each receiving station belongs), wherein said transmitting end assigns the same group ID number to the plural receivers (Kitada: column 1 lines 46-47: receiving stations are formed into a plurality of groups; column 2 lines 9-10: a group ID for designating a group to which each of the receiving stations belongs), and manages the reception contract on the basis of the individual ID numbers or the group ID number (Kitada: column 1 lines 46-52: rewrite work keys and pieces of contract information in units of groups).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1,3, and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kitada in view of Sasa U.S. Pat. No. 4998278 (hereinafter Sasa).

As per claim 1, Kitada teaches a data transmission and reception method in which data transmitted from a transmitting end is received, on the basis of a reception contract (Kitada: column 1 lines 58-67: determining the right of each of receiving stations to receive a broadcasting service...and charging in accordance with contract condition), with plural receivers which have individual ID numbers and belong to the same group (Kitada: column 2 line 67- column 3 line 2: a decoder ID as the number of each receiving unit, group bits for designating a group to which each receiving station belongs), wherein

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said transmitting end assigns the same group ID number to the plural receivers (Kitada: column 1 lines 46-47: receiving stations are formed into a plurality of groups; column 2 lines 9-10: a group ID for designating a group to which each of the receiving stations belongs), and manages the reception contract on the basis of the individual ID numbers or the group ID number (Kitada: column 1 lines 46-52: rewrite work keys and pieces of contract information in units of groups; column 1 lines 5-39: each station is managed...contract with each receiving station).

Kitada does not explicitly teach the method of managing the contract on the basis of the individual ID numbers. However, Sasa discloses that limitation (Sasa: column 1 lines 48-55: the contract information contains information on ID of the decoder). It would have been obvious to one having ordinary skill in the art to allow the use of individual ID or group ID alternatively to manage the contract because certain individuals within the group wish to subscribe to additional service that other receivers in the group do not wish to subscribe.

As per claim 3, Kitada further teaches the data includes video, audio, and data which are transmitted by a data stream in digital broadcasting (Kitada: column 1 line 58- column 2 line 14: the transmitting end is adapted to convert at least one of the video and audio signals into digital data; column 1 lines 5-11: managing apparatus...in satellite broadcasting).

Kitada does not explicitly teach the method of the reception contract is that a predetermined accounting is performed for a predetermined portion of the data stream which has been viewed for a predetermined period of time. However, Sasa teaches that limitation (Sasa: column 1 line 7- column 2 line 43: the contract information contains

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information on ID of the decoder, validation date, and contracted programs...contract information will be transmitted from the broadcast station once every month). It would have been obvious to one having ordinary skill in the art to include the predetermined computing in the reception contract because it will allow the receiving station to determine whether the program to be transmitted match the program subscribed.

As per claim 5, the combination of Kitada-Sasa teaches a method according to claim 1. Sasa further discloses the content of the reception contract includes services which can be viewed at the receiving end and the term of the contract (Sasa: column 1 line 7- column 2 line 43: the contract information contains information on ID of the decoder, validation date, and contracted programs...contract information will be transmitted from the broadcast station once every month). Same rationale applies here as above in rejecting claim 3.

Furthermore, Kitada teaches the method of multiplexing the contract in the data stream to be transmitted to the receiving end (Kitada: column 3 line 21- column 4 line 2: transmitting unit serves to multiplex associated information with video and audio signals).

As per claim 13, the combination of Kitada-Sasa teaches a method according to claim 3. Kitada further teaches the portion of the data stream is an event or program (Kitada: column 3 line 21-62: the scramble information includes program information).

8. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kitada in view of Sasa as applied to claim 1 above, and further in view of Saito U.S. Pat. No. 5901339 (hereinafter Saito).

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As per claim 2, the combination of Kitada-Sasa does not explicitly teach the method of updating the reception contract at regular time interval. However, Saito discloses that limitation (Saito: column 1 lines 62-63: the contract period is normally renewed in approximately one month interval). It would have been obvious to one having ordinary skill in the art to combine the teachings of Kitada, Sasa, and Saito because it allows the system to clearly and accurately generate the billing information and subscription information.

9. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kitada in view of Sasa as applied to claim 3 above, and further in view of Beyers II et al. U.S. Pat. No. 5420923 (hereinafter Beyers).

As per claim 4, the combination of Kitada-Sasa teaches a method according to claim 3. Kitada-Sasa does not explicitly teach the portion of the data stream is a service. However, Beyers teaches that limitation (Beyers: column 15 lines 17-26; column 18 lines 12-61: change attributes of the terminal, e.g. a service code to change to add HBO). It is well known in the art to subscribe premium channels in digital broadcasting. Therefore, it would have been obvious to one having ordinary skill in the art at the time of invention to combine the teachings of Kitada, Sasa, and Beyers because it allows users to watch additional channels based on their personal interests.

10. Claims 6-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kitada in view of Sasa and in view of Beyers as applied to claim 4 above, and further in view of Kubota et al. U.S. Pat. No. 5787171 (hereinafter Kubota) and further in view of

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Matsuzaki et al. U.S. Pat. No. 6289314 (hereinafter Matsuzaki) and further in view of Rathus et al. U.S. Pat. No. 5932863 (hereinafter Rathus).

As per claim 6 and 7, the combination of Kitada-Sasa-Beyers teaches a method according to claim 4. Kitada-Sasa-Beyers does not explicitly teach a first individual ID number notification step of notifying the transmitting end of the individual ID number which is possessed by a first receiver amongst the plural receivers belonging to the same group and a contract information notification step of notifying the transmitting end of ID information for identifying a service with which the first receiver makes a reception contract. However, Kubota discloses the receiver notifies the transmitting end of the individual ID number and the ID information for identifying a service with which the receiver makes a reception contract (Kubota: column 11 lines 25-59: the data receiving terminal transmits the selected data ID and the unique identification code of the data receiving terminal to the data source station). It would have been obvious to one having ordinary skill in the art to interpret the data ID as the program ID disclosed by Sasa and to transmit the data ID along with the receiver ID to the transmitting station because it allows the receiver to initiate communication with the transmitting station in order to perform operation or transactions.

Kubota does not explicitly teach the method comprising the first receiver among the plural receivers belonging to the same group. However, Matsuzaki discloses that limitation (Matsuzaki: column 1 line 8 – column 3 line 39: receiving equipment is installed in each room). It would have been obvious to one having ordinary skill in the art to assume there is a first receiver in a household that receives service before other receivers within the same house. It is well known in the art to have plurality of receivers

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connected to the same telephone line within the group (Kubota: column 11 line 3-11: modems function via a public communication line, e.g. telephone line).

Furthermore, the combination of Kitada-Sasa-Beyers-Kubota-Matsuzaki further teaches an additional individual ID number notification step of notifying the transmitting end of the individual ID number (Kubota: column 11 lines 25-59) of at least one additional receiver which belongs to the same group as the first receiver (Matsuzaki: column 1 line 8- column 3 line 39). It would have been obvious to one having ordinary skill in art to allow the additional receivers in the group to transmit information to the transmitting end because the additional receiver might want to request different program than the first receiver. Since the receivers within the same family generally share the same telephone to communicate, the telephone information will match the same as the primary receiver in the database of the transmitting station (Beyers: column 4 line 45 – column 5 line 3).

The combination of Kitada-Sasa-Beyers-Kubota-Matsuzaki does not explicitly teach the method of notifying the transmitting end the piece of information that shows the receivers belong to the same group. As mentioned before, if the receivers in the same house share the same telephone to connect to the transmitting end, the transmitting device shall be able to track the same telephone number by using the “caller ID” function to compare if the receivers belong to the same group. Rathus teaches that limitation (Rathus: column 8 lines 13-23; column 10 lines 27-39).

Furthermore, Kitada teaches a group ID number assignment step of assigning, by the transmitting end which has received the notification, the same group ID number and contract information to the first receiver and the additional receiver (Kitada: column 1

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line 42 – column 2 line 35: including a group ID for designating a group to which each of the receiving stations belong). It would have been obvious to one having ordinary skill in the art to apply the caller ID function within the transmitting device because it allows the transmitting device to clearly distinguish the group for which the receiver belongs to by comparing it with the receivers already registered in the database.

Furthermore, Sasa discloses the program ID of the service is included in the reception contract. Sasa does not explicitly teach the method of inputting it into the receiver. Matsuzaki discloses that limitation (Matsuzaki: column 1 line 56 – column 2 line 23: the contract information is registered in both the transmitting device and the receiving device). It would have been obvious to one having ordinary skill in the art to input the program ID into the receiver because it will allow the transmitting device to determine if the subscriber has the rights to receive the program according to the contract information.

Furthermore, Matsuzaki discloses a number collation step (Matsuzaki: column 2 lines 1-48: the qualification judging portion). It would have been obvious to one having ordinary skill in the art to combine the teachings of Kitada, Sasa, Beyers, Kubota, Matsuzaki, and Rathus because it verifies the contract information that is registered on the receiving and transmitting ends.

As per claim 8, the combination of Kitada-Sasa-Beyers-Kubota-Matsuzaki-Rathus teaches a method according to claim 6. Kitada further teaches the contract information input step is inputting the ID information of the service with which the first receiver has made the reception contract, the ID information being transmitted from the transmitting end (Kitada: column 1 line 41 – column 2 line 14).

As per claim 9, the combination of Kitada-Sasa-Beyers-Kubota-Matsuzaki-Rathus teaches a method according to claim 7. Beyers further teaches a warning step of sending a warning from the transmitting end to the receiving end when the notified numbers do not match the registered numbers in the collation step (Beyers: column 31 lines 12-67: the error return code). It would have been obvious to one having ordinary skill in the art to return error message or warning when the numbers do not match because it is necessary to inform the user or system that the value inputted is wrong in order to correct the mistakes.

As per claim 10, the combination of Kitada-Sasa-Beyers-Kubota-Matsuzaki-Rathus teaches a method according to claim 6. Kitada further teaches the group ID number is multiplexed in the data stream together with video and audio to be transmitted to the receiver (Kitada: column 3 lines 20-50: multiplex associated information with video and audio signals).

As per claim 11, the combination of Kitada-Sasa-Beyers-Kubota-Matsuzaki-Rathus teaches a method according to claim 10. Kitada further teaches the group ID number is stored in Conditional Access Entitlement Management Message of the data stream to be transmitted (Kitada: column 1 line 58 – column 2 line 14: inputting data of conditions; column 2 line 64 – column 3 line 8: group bits for designating a group to which each receiving station belongs to).

As per claim 12, the combination of Kitada-Sasa-Beyers-Kubota-Matsuzaki-Rathus teaches a method according to claim 6. Matsuzaki further discloses the group ID number is transmitted through a transmission path different from the data stream, to the receiver (Matsuzaki: column 1 lines 56-67: makes a contract...using communication

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means such as telephone; column 2 lines 49-58: information can be obtained even at home...transmitted from a center station of CATV through wires such as optical fiber cables). It would have been obvious to one having ordinary skill in the art to use two different communication paths because it prevents the group ID and contract information to be intercepted through the broadcasting channel.

11. Claims 14-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kitada in view of Sasa as applied to claim 3 above, and further in view of Beyers and further in view of Kubota and further in view of Matsuzaki and further in view of Rathus.

As per claim 14, the combination of Kitada-Sasa-Beyers teaches a method according to claim 4. Kitada-Sasa-Beyers does not explicitly teach a first individual ID number notification step of notifying the transmitting end of the individual ID number which is possessed by a first receiver amongst the plural receivers belonging to the same group and a contract information notification step of notifying the transmitting end of ID information for identifying a service with which the first receiver makes a reception contract. However, Kubota discloses the receiver notifies the transmitting end of the individual ID number and the ID information for identifying a service with which the receiver makes a reception contract (Kubota: column 11 lines 25-59: the data receiving terminal transmits the selected data ID and the unique identification code of the data receiving terminal to the data source station). It would have been obvious to one having ordinary skill in the art to interpret the data ID as the program ID disclosed by Sasa and to transmit the data ID along with the receiver ID to the transmitting station because it

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allows the receiver to initiate communication with the transmitting station in order to perform operation or transactions.

Kubota does not explicitly teach the method comprising the first receiver among the plural receivers belonging to the same group. However, Matsuzaki discloses that limitation (Matsuzaki: column 1 line 8 – column 3 line 39: receiving equipment is installed in each room). It would have been obvious to one having ordinary skill in the art to assume there is a first receiver in a household that receives service before other receivers within the same house. It is well known in the art to have plurality of receivers connected to the same telephone line within the group (Kubota: column 11 line 3-11: modems function via a public communication line, e.g. telephone line).

Furthermore, the combination of Kitada-Sasa-Beyers-Kubota-Matsuzaki further teaches an additional individual ID number notification step of notifying the transmitting end of the individual ID number (Kubota: column 11 lines 25-59) of at least one additional receiver which belongs to the same group as the first receiver (Matsuzaki: column 1 line 8- column 3 line 39). It would have been obvious to one having ordinary skill in art to allow the additional receivers in the group to transmit information to the transmitting end because the additional receiver might want to request different program than the first receiver. Since the receivers within the same family generally share the same telephone to communicate, the telephone information will match the same as the primary receiver in the database of the transmitting station (Beyers: column 4 line 45 – column 5 line 3).

The combination of Kitada-Sasa-Beyers-Kubota-Matsuzaki does not explicitly teach the method of notifying the transmitting end the piece of information that shows the

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receivers belong to the same group. As mentioned before, if the receivers in the same house share the same telephone to connect to the transmitting end, the transmitting device shall be able to track the same telephone number by using the “caller ID” function to compare if the receivers belong to the same group. Rathus teaches that limitation (Rathus: column 8 lines 13-23; column 10 lines 27-39).

Furthermore, Kitada teaches a group ID number assignment step of assigning, by the transmitting end which has received the notification, the same group ID number to the first receiver and the additional receiver (Kitada: column 1 line 42 – column 2 line 35: including a group ID for designating a group to which each of the receiving stations belong). It would have been obvious to one having ordinary skill in the art to apply the caller ID function within the transmitting device because it allows the transmitting device to clearly distinguish the group for which the receiver belongs to by comparing it with the receivers already registered in the database.

Furthermore, Beyers further teaches a result of viewing notification step in which, when an event has been viewed with the plural receivers which belong to the same group and have the same group ID number, the transmitting end is notified of the individual ID numbers of the plural receivers, the group ID number thereof, and information specifying the event which has been viewed (Beyers: column 8 lines 26-58: store the data associated with the purchase of that event in non-volatile memory, and transmit the data to the system operator via a telephone return path or and RF return path). It would have been obvious to one having ordinary skill in the art to combine the teachings of Kitada, Sasa, Beyers, Kubota, Matsuzaki, and Rathus because it allows the transmitting end to keep track of the specific receiver within the group that makes the transaction.

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As per claim 15, the combination of Kitada-Sasa-Beyers-Kubota-Matsuzaki-Rathus teaches a method according to claim 14. Kubota further teaches the information specifying the event includes a program ID for identifying the event (Kubota: column 11 lines 39-51: transmits the selected data ID and the unique identification code of the data receiving terminal). It is well known in the art to store the program ID of an event to calculate the cost of viewing.

As per claim 16, the combination of Kitada-Sasa-Beyers-Kubota-Matsuzaki-Rathus teaches a method according to claim 14. Matsuzaki further teaches the group ID number assignment step includes a step of outputting information which indicates that either receiver-unit accounting or group-unit accounting is to be applied to each event (Matsuzaki: summary: calculates a charge for use differentiated for each of the terminals; each of the terminals displays the basic charge information received for user). It would have been obvious to one having ordinary skill in the art to combine the teachings of Kitada, Sasa, Beyers, Kubota, Matsuzaki, and Rathus because it allows the billing device to clearly point out which receiver watches premium programs and that user who performs that transaction has to pay for it.

12. Claims 17 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kitada in view of Sasa and further in view of Beyers and further in view of Kubota and further in view of Matsuzaki and further in view of Rathus.

As per claim 17, the combination of Kitada-Sasa-Beyers teaches a method according to claim 4. Kitada-Sasa-Beyers does not explicitly teach a first individual ID number notification step of notifying the transmitting end of the individual ID number

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which is possessed by a first receiver amongst the plural receivers belonging to the same group and a contract information notification step of notifying the transmitting end of ID information for identifying a service with which the first receiver makes a reception contract. However, Kubota discloses the receiver notifies the transmitting end of the individual ID number and the ID information for identifying a service with which the receiver makes a reception contract (Kubota: column 11 lines 25-59: the data receiving terminal transmits the selected data ID and the unique identification code of the data receiving terminal to the data source station). It would have been obvious to one having ordinary skill in the art to interpret the data ID as the program ID disclosed by Sasa and to transmit the data ID along with the receiver ID to the transmitting station because it allows the receiver to initiate communication with the transmitting station in order to perform operation or transactions.

Kubota does not explicitly teach the method comprising the first receiver among the plural receivers belonging to the same group. However, Matsuzaki discloses that limitation (Matsuzaki: column 1 line 8 – column 3 line 39: receiving equipment is installed in each room). It would have been obvious to one having ordinary skill in the art to assume there is a first receiver in a household that receives service before other receivers within the same house. It is well known in the art to have plurality of receivers connected to the same telephone line within the group (Kubota: column 11 line 3-11: modems function via a public communication line, e.g. telephone line).

Furthermore, the combination of Kitada-Sasa-Beyers-Kubota-Matsuzaki further teaches an additional individual ID number notification step of notifying the transmitting end of the individual ID number (Kubota: column 11 lines 25-59) of at least one

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additional receiver which belongs to the same group as the first receiver (Matsuzaki: column 1 line 8- column 3 line 39). It would have been obvious to one having ordinary skill in art to allow the additional receivers in the group to transmit information to the transmitting end because the additional receiver might want to request different program than the first receiver. Since the receivers within the same family generally share the same telephone to communicate, the telephone information will match the same as the primary receiver in the database of the transmitting station (Beyers: column 4 line 45 – column 5 line 3).

Kitada-Sasa-Beyers-Kubota-Matsuzaki does not explicitly teach the method of notifying the transmitting end the piece of information that shows the receivers belong to the same group. As mentioned before, if the receivers in the same house share the same telephone to connect to the transmitting end, the transmitting device shall be able to track the same telephone number by using the “caller ID” function to compare if the receivers belong to the same group. Rathus teaches that limitation (Rathus: column 8 lines 13-23; column 10 lines 27-39).

Furthermore, Kitada teaches a group ID number assignment step of assigning, by the transmitting end which has received the notification, the same group ID number and contract information to the first receiver and the additional receiver (Kitada: column 1 line 42 – column 2 line 35: including a group ID for designating a group to which each of the receiving stations belong). It would have been obvious to one having ordinary skill in the art to apply the caller ID function within the transmitting device because it allows the transmitting device to clearly distinguish the group for which the receiver belongs to by comparing it with the receivers already registered in the database.

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Furthermore, Sasa discloses the program ID of the service is included in the reception contract. Sasa does not explicitly teach the method of inputting it into the receiver. Matsuzaki discloses that limitation (Matsuzaki: column 1 line 56 – column 2 line 23: the contract information is registered in both the transmitting device and the receiving device). It would have been obvious to one having ordinary skill in the art to input the program ID into the receiver because it will allow the transmitting device to determine if the subscriber has the rights to receive the program according to the contract information.

Furthermore, Kitada teaches storage means for storing the group ID number transmitted from the transmitting end (Kitada: column 1 line 58 – column 2 line 14: inputting data of conditions; column 2 line 64 – column 3 line 8: group bits for designating a group to which each receiving station belongs to) and demultiplexing means for extracting the information about the reception contract, from the transmitted data stream (Kitada: column 4 line 3 – column 5 line 67 and figure 3: an associated information extracting section) and control means for analyzing the extracted information about the reception contract to recognize a receivable service, from the data stream, thereby obtaining the key information (Kitada: column 4 line 3 – column 5 line 67 and figure 3: extract work key and a group ID comparator) and decoding means for descrambling the receivable service from the data stream, under control of the control means, on the basis of the information including the recognized receivable service and the extracted key information (Kitada: column 4 line 3 – column 5 line 67 and figure 3: decrypt and descramble the scrambled program).

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As per claim 19, the combination of Kitada-Sasa-Beyers-Kubota-Matsuzaki-Rathus teaches a receiver according to claim 17. Kitada-Sasa-Beyers-Kubota-Matsuzaki-Rathus further teaches an ID number notification means for notifying the transmitting end of at least the individual ID number and the group number of the receiver, through a telephone line connected to the receiver (Kubota: column 11 lines 25-51: modem), at predetermined time interval (Sasa: summary: contract information is transmitted from the broadcast station once every month; it implies that the contract is made in one month interval).

13. Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kitada in view of Sasa and further in view of Beyers and further in view of Kubota and further in view of Matsuzaki and further in view of Rathus as applied to claim 17 above, and further in view of Ohkura et al. U.S. Pat. No. 6347400 (hereinafter Ohkura).

As per claim 18, the combination of Kitada-Sasa-Beyers-Kubota-Matsuzaki-Rathus teaches a receiver according to claim 17. Kitada-Sasa-Beyers-Kubota-Matsuzaki-Rathus does not explicitly teach a demultiplexing means for extracting the history of viewing which includes at least accounting information of an event which has been viewed and information specifying the event, from the transmitted data stream and card means for storing the extracted history of viewing and card means for transmitting the stored history of viewing, and the individual ID number and the group number possessed by the receiver, to an external management center. However, Ohkura teaches data of viewing history is stored in the IC card (Ohkura: column 5 lines 7-63). It would have been obvious to one having ordinary skill in the art to assume the viewing history is

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transmitted from the transmitting end to the receiving end along with descrambled data. Therefore, it would have been necessary for the receiver to extract the information contained in the data transmitted from the receiver. Ohkura further teaches the history of viewing is uploaded to a viewing information processing/collection system from a modem via a telephone modular jack and the system charges the user for purchased PPV programs (Ohkura: column 5 lines 24-33: charge the user for purchased PPV programs based on the uploaded viewing history data of the programs). It would have been obvious to one having ordinary skill in the art to also send the individual ID and group ID disclosed by Kitada along with the viewing history to the collection system. It would have been obvious to one having ordinary skill in the art at the time of invention to combine the teachings of Kitada, Sasa, Beyers, Kubota, Matsuzaki, Rathus, and Ohkura because it allows the user to view the history of viewing to ensure the transactions are correct.

Conclusion

14. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Ushiyama U.S. Pat. No. 6349140 discloses information receiving system for descrambling scrambled information and presenting the descrambled information.

Dorenbosch et al. U.S. Pat. No. 6256193 discloses selective call receiver and method for programming a selective call receiver.

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Hirose U.S. Pat. No. 5917915 discloses scramble/descramble method and apparatus for data broadcasting


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shin-Hon Chen whose telephone number is (703)305-8654. The examiner can normally be reached on Monday through Friday 8:00am to 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on (703) 305-9648. The fax phone number for the organization where this application or proceeding is assigned is (703) 746-3138.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Shin-Hon Chen
Examiner
Art Unit 2131

SC


AYAZ SHEIKH
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100